

# How the trans swimming ban may set up a hierarchy in the community

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June 22, 2022, 9:23 PM EDT

By Frankie de la Cretaz, freelance writer focusing on sports, gender and culture

On Sunday, FINA, the international governing body of swimming, [released a new transgender participation policy](#) for athletes, one that is more restrictive and extreme than any existing policies and is sure to have ripple effects throughout the world of sports.

It [bans any transfeminine](#) athlete who transitioned after age 12 from competing in the women’s division of elite swimming competitions, as well as requiring chromosomal verification from all athletes. It also proposes a third, “open” division for transgender people who have gone through any part of a testosterone-driven puberty. Such an extremely restrictive policy is not supported by available science about testosterone’s impact on athletic performance, and it is also out of step with the International Olympic Committee’s [new framework for transgender inclusion](#).

A restrictive policy like this dehumanizes transgender athletes, reducing them to their bodies and their biology. It erases their humanity, putting the perceived fairness of a sporting competition (and it must be asked, fair for whom?) above the rights of an entire class of people. Ultimately, it deems only those who can perform their transness in a certain way worthy of being allowed to compete in a sporting arena.

But there is more than that, too. These kinds of policies filter transness through a cisgender lens, warping it into something cissexist society can understand. It is prescriptive of how people should be trans; not every trans person is transitioning from one seemingly binary gender to the other. There are as many ways to be trans as there are people in the world, and not everyone wants hormones or surgery as part of their transition. These policies also associate transness with medical intervention, invalidating the trans identities of folks who cannot or choose not to seek medical transition.

And, perhaps most damaging of all, a framework that requires trans people to have begun medical transition before puberty seeks to set up a hierarchy in which people who have an awareness of and

access to transition in childhood are deemed more acceptable or less threatening and therefore “better.”

Why do cisgender people get to make policies that police the bodies of transgender people? The trans community is consistently gatekept from accessing gender-affirming care that cis people are allowed: Hormone blockers or hormone therapy like testosterone, estrogen, progesterone, spironolactone and finasteride are regularly prescribed to cis people. Not to mention hair removal procedures, hair transplants and [a variety of plastic surgery procedures](#), including breast augmentations, face and lip fillers, vaginoplasties, liposuction, muscular implants and more that are provided to cisgender people for reasons that include increased self-confidence and allowing them to feel more comfortable in their bodies.

Given that the trans community has become the biggest enemy of the political right, painted as a threat to the safety and well-being of (cisgender, heterosexual) people in the U.S., this new policy is nothing short of dangerous.

According to an NBC News analysis of data from the American Civil Liberties Union and the LGBTQ advocacy group Freedom for All Americans, [nearly 670 bills](#) have been introduced since 2018 that seek to regulate or roll back the rights of LGBTQ people in the U.S. or to deny them access to full participation in public life. And this year, 65% of the anti-LGBTQ legislation that has been introduced has targeted transgender people specifically.

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University of Pennsylvania swimmer Lia Thomas dives past the other swimmers during the 100-meter freestyle preliminaries at the NCAA swimming and diving championships in Atlanta on March 19. Rich von Biberstein / Icon Sportswire via AP file

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## Trans youths targeted by anti-LGBTQ legislation

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The FINA policy is a logical extension of the trans panic being whipped up by right-wing political actors (and reinforced by mainstream media coverage that presents “two sides” to what is essentially a human rights issue). It is also a direct outcome of the occasional sporting success transgender athletes are beginning to have — particularly trans women like swimmer Lia Thomas, who recently became the first openly trans woman to [win an NCAA swimming title](#), and New Zealand-based weightlifter Laurel Hubbard, who last summer became the first openly trans woman [to compete at the Olympics](#) (where she [failed to medal](#)). Trans people in sports are generally ignored until they begin to win; that’s when they become threats to the status quo.

Such a policy also shows what an impossible situation the cisnormative establishment puts transgender people in when all they want to do is exist and have access to the same rights as everyone else.

According to the Movement Advancement Project, an independent think tank that has been tracking anti-LGBTQ bills, at [least 22 states](#) are trying to ban adolescents from accessing gender-affirming care, which would make transitioning before age 12 an impossibility.

Not only that, a lot of things have to go right for children to begin puberty blockers and transition during their youth: They have to know they are trans at that age, which many children do not; they have to have supportive parents (large numbers of LGBTQ youths [report being kicked out of their homes](#) because of their identities, with numbers for transgender youths being the highest); and they have to be

able to access or afford gender-affirming care (bringing socioeconomic status into play).

Ultimately, a policy like FINA's proves only one thing: Cisgender people's perspective and comfort were centered above all else. It is ironic that a policy designed to dictate the participation of a community of people can be so far removed from the lived reality and needs of that community. FINA has proven that the goal is not to find a way for transgender athletes to access sports; it is to find new and more twisted ways to deny them access to public life, whether it is in sports or medical care or the ability to exist in the world fully.